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DEA BUDGET AND OVERSIGHT FOR FISCAL YEAR 1987

HEARING

BEFORE THE

SUBCOMMITTEE ON SECURITY AND TERRORISM

OF THE

COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

NINETY-NINTH CONGRESS

SECOND SESSION

ON

EXAMINING SIGNIFICANT ASPECTS OF THE DEA'S RECORD OF ACHIEVEMENT DURING 1985

APRIL 16, 1986

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CONTENTS

STATEMENTS

	Page
Denton, Hon. Jeremiah, a U.S. Senator from the State of Alabama; chairman, Subcommittee on Security and Terrorism:	
Opening	1
Prepared	3

WITNESS

Hon. John C. Lawn, Administrator, Drug Enforcement Administration, U.S. Department of Justice:	
Testimony	4
Prepared statement	7
Responses to written questions submitted by Senator Leahy	16

DEA BUDGET AND OVERSIGHT FOR FISCAL YEAR 1987

WEDNESDAY, APRIL 16, 1986

U.S. SENATE,
SUBCOMMITTEE ON SECURITY AND TERRORISM,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The subcommittee met at 10:55 a.m. in room 226, Senate Dirksen Office Building, Hon. Jeremiah Denton (chairman of the subcommittee), presiding.

Also present: Senator Arlen Specter.

Staff present: Joel S. Lisker, chief counsel and staff director; Ron Lemay, staff assistant; and Fran Wermuth, chief clerk.

OPENING STATEMENT OF HON. JEREMIAH DENTON, A U.S. SENATOR FROM THE STATE OF ALABAMA; CHAIRMAN, SUBCOMMITTEE ON SECURITY AND TERRORISM

Senator DENTON. The hearing will come to order.

I must explain that I have been at the AV posture hearing, and I had to wait for my turn to participate. So it is just one of the facts of life here and I am sorry that I have inconvenienced you.

I want to welcome everyone here to this oversight budget hearing on DEA for fiscal year 1987. We will hear from the Honorable John C. Lawn, Administrator of the Drug Enforcement Administration. Mr. Lawn has appeared before us on two prior occasions, and we admire him and appreciate his cooperation.

The subcommittee continues to be by duty required to involve ourselves and by personal disposition we are very interested in the activities of DEA, its successes and disappointments during the past year.

We want to learn from you, and assist where possible, in areas where DEA has been vulnerable. You risk your lives, your agents do, daily, with little or no recognition from the Government or from the people they serve.

We wish to go on record as acknowledging and expressing our sincere appreciation for the tremendous commitment to attempting to deal with the drug problem that the Headquarters and field agents of the DEA have undertaken.

I am familiar with the mistreatment, but I was shocked by the tape recording made during 2 days of brutal torture of DEA agent Enrique Carmarena before his murder, with the indication that a Mexican police official was present during the torture. I regard that as one of the most reprehensible and disgusting acts that we

have had brought to our attention, underscoring the police corruption with which the DEA is confronted in countries such as Mexico. And for the years that I have been involved with this, I admire you all for not just feeling frustration to the point of despair. I am certainly desirous to determine if there is anything I can do to help so that Agent Carmarena's torture and murder will not go unpunished and that the killers responsible for that action will be brought to justice.

They are savages—worse than savages. They are full in their greed and, in some cases, it is not just greed, it is narcoterrorism, sometimes states involved; often ideologically involved. They are dealing with big money and the recklessness which that can bring along with the zealotry.

The devastating damages of narcotics are no longer restricted to consumer countries, but it is now having a definite impact in the grower countries as well. The excess and residue drugs from the illegal production factories are now being consumed by the young people in those countries, and the social impact there is increasingly felt.

So, perhaps on the positive side of this unfortunate situation, may be that producer states and consumer states can see themselves as bound together for the single goal, at least when the producer States are reasonably governed, bound together with a goal of eradication of production facilities and interdiction of the traffickers and distribution network.

No country wants, nor can any country afford to bear the costs imposed by a large drug-abusing population. I do not have to recite the litany of the harm of drugs. I do feel that we have no recourse but to try and lead the way in the battle, this country, and you as our instrument. We must strike at the very heart of the criminal syndicates where it hurts them the most, the profits. We have been developing plans and actions in that direction. We must deny them access to these profits whenever and wherever possible.

We can seek out the profiteers, forfeit their property, and inflict appropriate and truly deterrent punishments in the future. I guess those are modus operandi which we can usefully adopt. And I think we should also involve other agencies in bringing to justice, make a special effort to do so, those who have tortured and murdered our drug enforcement agents. I think that is part of the pattern we must emphasize.

We also have to target the consumer by systematic education and other means. We have the highest consumer market for drugs, and initiating programs that get into our educational system at all levels, constantly alerting our society to our problems is one way to go. I hope you can give us information or specific suggestions for what we might be able to do legislatively, not only in our committee itself, but through lobbying with other Senators, expressing your outlook and our mutual agreements regarding actions to be taken beyond the jurisdiction of this committee.

So we will look also this morning into the integration of the DEA into the FBI and how this has affected the performance of both of these very important preeminent Federal law enforcement agencies.

I want to thank you again, Administrator Lawn, and ask if you have an opening statement or remarks which you would care to make.

[The prepared statement of Senator Denton follows:]

PREPARED STATEMENT OF SENATOR JEREMIAH DENTON

I am pleased to welcome all of you to the subcommittee's oversight budget hearing on the Drug Enforcement Agency for fiscal year 1987.

This morning we will hear testimony from the Honorable John C. Lawn, Administrator of the Drug Enforcement Administration. Mr. Lawn has appeared before us on two prior occassions and we greatly appreciate his cooperation.

The subcommittee continues to be very interested in the activities of DEA, its successes and the disappointments during the past year. Moreover, it is also interested in identifying and assisting in those areas where DEA has been vulnerable. Agents of the Drug Enforcement Administration risk their lives daily, often with little or no recognition from the Government or the people they serve. This subcommittee and this chairman wish to go on record as acknowledging and expressing its sincere appreciation for the tremendous commitment to attempting to solve the drug problem that the Headquarters and field agents of the DEA have undertaken.

The shocking disclosure of a tape recording made during 2 days of brutal torture of DEA agent Enrique Carmarena before his murder indicate that a Mexican police official was present during the torture. This, in my view, is one of the most reprehensible and disgusting acts to be brought to the attention of this subcommittee and underscores the police corruption with which the DEA is confronted in countries such as Mexico.

We are desirous that Agent Carmarena's torture and murder will not go unpunished and that the killers responsible for that action will be brought to justice.

Over the years we have become very aware of the warfare that exists between DEA and the drug traffickers; of the little value placed upon human life by these traffickers, and the misery that they perpetuate. It is not possible to estimate the loss in terms of failed achievement, of those of our children caught up in the use of illicit drugs. DEA, as the lead agency in this battle, is responsible for providing necessary leadership against this country's most serious crime problem.

Research by this subcommittee has disclosed that the narcotics issue is no longer restricted to consumer countries, but is now having a definite impact in the grower countries as well. The excess and residue drugs from the illegal production factories are now being consumed by the young people in those countries, and is beginning to have substantial impact on the increasing social problems of these States. On the positive side of this unfortunate situation is the fact that as the problems of narcotics abuse expands to producer states and becomes more common, all victim states are bound together with a single goal: the eradication of production facilities, and interdiction of the traffickers and distribution network. No country wants, nor can any country afford to have to bear the costs imposed by a large drug abusing population. Moveover, no single nation can combat the drug problem alone on an international level. For just as in combatting international terrorism, civilized states must unite and take necessary steps to confront and attack the narcotraffickers at all levels. Our common objective is all the more urgent because we now know that the drug traffickers have become a very powerful force, not only within the organized criminal community, but by virtue of their attempts to control foreign governments through bribery, intimidation, assassination, and terrorism. Domestically, drug traffickers often attempt to corrupt the minds and bodies of our young people and their influence has been felt in scholastic, amateur and professional sports.

This country must lead the way in this battle. We must strike at the very heart of the criminal syndicates where it hurts them the most: their profits. We must deny them access to these profits whenever and wherever possible.

The time has long passed for America to cease its rhetoric and quietly strike relentlessly, until the message come across loud and clear: profiteers in the drug traffic will be sought out, funds and property forfeited, and appropriate punishments inflicted. Torture and murder of Drug Enforcement agents of this government will be neither forgotten nor forgiven and in no circumstances accepted. Those who are guilty must pay.

Waging this war on drug trafficking however is only one way that we will ultimately be successful and it is becoming increasingly apparent that we need to target the consumer by systematic education and other means, if we are to have any hope of winning the most important war ever fought on American soil.

The world knows that the United States has the highest consumer market for drugs, and this demand makes it impossible for this country to have any real credibility with the drug producer populations whose poverty and educational levels are such that they cannot understand why they should not be allowed to grow these products.

We need to initiate programs that will reach into and become a permanent integral component of our educational system at all levels and to continously alert our society of the problems caused by drug abuse. Although there appears to be some changes taking place within the government and private business, such as drug testing of employees, I think we should be looking for answers that will ultimately eliminate the need for such tests, thereby saving government and industry perhaps millions of dollars in laboratory fees and lost production time. It seems a sad day indeed when we in this country have come to the point where students, athletes, government and private employees must be subjected to the risks inherent in drug testing, the reliability of which is at least open to question.

I hope that we can examine today, and in the closed session on May 15, significant aspects of DEA's record of achievement during 1985. This subcommittee wants to make sure that DEA maintains its standing domestically and internationally in this battle against drugs and terrorism.

This morning we will also look at the integration of the DEA into the FBI and how this has affected the performance of both of these very important preeminent Federal law enforcement agencies.

I want to again welcome Administrator Lawn and ask if he has an opening statement or remarks which he would care to make.

STATEMENT OF HON. JOHN C. LAWN, ADMINISTRATOR, DRUG ENFORCEMENT ADMINISTRATION, U.S. DEPARTMENT OF JUSTICE

Mr. LAWN. Thank you very much, Mr. Chairman.

First, I would like to thank you for the words of recognition that you have given to the personnel, the men and women of the Drug Enforcement Administration. I shall certainly pass those words on to them.

I am pleased to have the opportunity to appear before you today to discuss the 1987 budget request for the Drug Enforcement Administration. This request continues the momentum of the initiatives that the President has proposed for drug law enforcement for the past 5 years.

This budget request is a clear acknowledgment by the President that drug abuse and drug trafficking are the Nation's No. 1 crime problem.

DEA's budget request for fiscal year 1987 is for a total of $411,329,000 and 5,051 positions, of which 2,496 are special agent positions.

This represents a net increase of $31,329,000 and 156 positions above the 1986 enacted level. Included in the proposed net increase are program increases of $28,000,000, and 156 positions, including 80 special agent positions; program decreases of $2,788,000; and other management initiatives and uncontrollable changes of $6,117,000.

A brief description of the program changes in this request is as follows:

A program increase of 112 positions and $8.6 million to DEA's principal investigative program: Domestic Enforcement. These additional resources will focus on cocaine, heroin, and dangerous drugs investigative efforts. This increase includes the additional 80 special agent positions.

A program increase of nine positions and $8.9 million to begin a long-term effort to upgrade and safeguard the oper-

ation of DEA's ADP and telecommunications systems. We require a fully encrypted and TEMPEST-rated capability with our systems to process national security information.

Increases of nine positions and $9.1 million to the Technical Operations Program for needed investments in voice privacy radio equipment, satellite, and other communications vehicles, radio/electronic technicians, and other necessary equipment items.

Increases——

Senator DENTON. Excuse me, Mr. Administrator. What is your general situation right now, qualitatively described, in terms of ability to conduct encrypted expeditious communications?

Mr. LAWN. We have very limited capability in the area of encrypted communications and in the area of voice privacy equipment. Because of constrictions in the past, it has been my decision that we would reprogram money from equipment to maintain our operations.

Senator DENTON. Is that shortage in the administrative part of handling the information or in the operational part, or both?

Mr. LAWN. These are shortages on both sides. The information we are receiving from the intelligence community is information that we cannot disseminate on a real-time basis because we do not have the equipment which they require in order for us to do so.

Senator DENTON. Thank you. Excuse me. Go ahead.

Mr. LAWN. We are requesting increases totaling 26 positions and $1.5 million in two programs—intelligence and lab services—which directly support and will enhance our overall investigative effort. A program decrease of $2.7 million related to the administration's decision not to implement a new State assistance grant operation under the overall diversion control program. A program decrease of $88,000 resulting from a new administration policy requiring State and local law enforcement personnel receiving training from DEA to pay that portion of the costs relating to food and lodging.

The critical point that I would like to make is that, while we have not won the war, there is substantial evidence that we are making significant strides in that direction. This can be seen by the following:

The President's national strategy for the prevention of drug abuse and drug trafficking is in place and is working. Under this initiative, there is strong emphasis on simultaneously attacking the drug problem by approaching both sides of the drug control equation.

We address the supply reduction side through international cooperation and aggressive drug law enforcement at home and the demand reduction side through drug abuse prevention and education.

We also have strong bipartisan congressional support for this well-balanced approach. In fact, the strategy of concurrently reducing both the supply and demand for drugs is now being adopted by others caught up in the throes of drug trafficking and abuse.

Specifically, on the supply reduction side, we have seen major accomplishments. Total drug arrests in fiscal year 1985 increased about 20 percent and arrests of major traffickers have increased by about 40 percent. Drug seizures have also substantially increased.

The Government has seized and forfeited a record amount of traffickers' profits, property, and proceeds derived from the drug trade. International cooperation has never been stronger and the major drug-producing nations are taking serious measures to control drug crop production.

No less important are our concurrent efforts to prevent drug abuse and drug demand. Prevention and education are achieving success in this area as well. Efforts such as the Coaches' Program are having a definite impact. In fact, we have just launched the Sports Drug Awareness Program in Europe. We are encouraged by the continuing reduction in marijuana use by our high school students and the polls which show their attitudes shifting away from substance abuse.

In the past few years, we have also seen the Parents Movement blossom into a network of more than 8,000 organizations working diligently for a drug-free America.

This concludes my statement, Mr. Chairman. I will be happy to respond to any questions.

[Mr. Lawn's submissions for the record follow:]

Prepared Statement of John C. Lawn

I am pleased to have the opportunity to appear before you today to discuss the 1987 budget request for the Drug Enforcement Administration. This request continues the momentum of the initiatives President Reagan proposed for drug law enforcement.

The President's budget recognizes that even in this era of reduced Federal spending, there are certain priority law enforcement functions that not only must be maintained, but strengthened. It is clear that federal drug law enforcement and its critical responsibility to stem the flow of illegal drugs is one of those priorities.

While we recognize that the drug war cannot be won in the short term, we are making significant progress. In the past year alone we have seen major accomplishments. Federal drug arrests have increased about 20 percent and the arrests of the major traffickers increased 40 percent. Conviction rates are also up. Drug seizures also increased substantially, and the government has seized and forfeited a record amount of the traffickers proceeds, property, and profits derived from the drug trade.

This budget request contains modest increases to ensure that we do not lose the momentum that we have gained. With the full mobilization of the substantial resources recently received in the 1985/1986 Drug Initiatives and the addition of the resources requested for 1987, we can continue to make significant gains.

Budget Request

DEA's budget request for 1987 is for a total of $411,329,000 and 5,051 permanent positions, of which 2,496 are special agents. This represents a net increase of $31,329,000 and 156 positions above the 1986 enacted level.

INCLUDED IN THE PROPOSED NET INCREASES ARE PROGRAM INCREASES OF $28,000,000, 156 POSITIONS, INCLUDING 80 SPECIAL AGENTS; PROGRAM DECREASES OF $2,788,000; AND OTHER MANAGEMENT INITIATIVES AND UNCONTROLLABLE CHANGES OF $6,117,000.

A BRIEF DESCRIPTION OF THE PROGRAM CHANGES IN THIS REQUEST ARE AS FOLLOWS:

- A PROGRAM INCREASE OF 112 POSITIONS AND $8.6 MILLION TO DEA'S PRINCIPAL INVESTIGATIVE PROGRAM, DOMESTIC ENFORCEMENT. THESE ADDITIONAL RESOURCES WILL FOCUS ON COCAINE, HEROIN, AND DANGEROUS DRUGS INVESTIGATIVE EFFORTS. THIS INCREASE INCLUDES THE ADDITIONAL 80 SPECIAL AGENT POSITIONS.

- A PROGRAM INCREASE OF 9 POSITIONS AND $8.9 MILLION TO BEGIN A LONG-TERM EFFORT TO UPGRADE AND SAFEGUARD THE OPERATION OF DEA'S ADP AND TELE-COMMUNICATIONS SYSTEMS. WE REQUIRE A FULLY-ENCRYPTED AND TEMPEST-RATED CAPABILITY WITH OUR SYSTEMS TO PROCESS NATIONAL SECURITY INFORMATION.

- INCREASES OF 9 POSITIONS AND $9.1 MILLION TO THE TECHNICAL OPERATIONS PROGRAM FOR NEEDED INVESTMENTS IN VOICE PRIVACY RADIO EQUIPMENT, SATELLITE AND OTHER COMMUNICATIONS VEHICLES, RADIO/ELECTRONIC TECHNICIANS, AND OTHER NECESSARY EQUIPMENT ITEMS.

- INCREASES TOTALING 26 POSITIONS AND $1.5 MILLION IN TWO PROGRAMS (INTELLIGENCE AND LAB SERVICES) WHICH DIRECTLY SUPPORT AND WILL ENHANCE OUR OVERALL INVESTIGATIVE EFFORT.

- A PROGRAM DECREASE OF $2.7 MILLION RELATED TO THE ADMINISTRATION'S DECISION NOT TO IMPLEMENT A NEW STATE ASSISTANCE GRANT OPERATION UNDER THE OVERALL DIVERSION CONTROL PROGRAM.

- A PROGRAM DECREASE OF $88,000 RESULTING FROM A NEW ADMINISTRATION POLICY REQUIRING STATE AND LOCAL LAW ENFORCEMENT OFFICIALS RECEIVING TRAINING FROM DEA TO PAY THAT PORTION OF THE COSTS RELATING TO FOOD AND LODGING.

VIRTUALLY ALL OTHER CABINET AGENCIES CURRENTLY CHARGE NON-FEDERAL TRAINEES FOR THESE COSTS.

THE NATIONAL STRATEGY

THE 1987 REQUEST FOR THE DRUG ENFORCEMENT ADMINISTRATION REFLECTS THE PRESIDENT'S DEEP CONCERN THAT ILLEGAL DRUGS ARE THE NATION'S NUMBER ONE CRIME PROBLEM.

TODAY, DEBATE HAS BEEN REPLACED WITH ACTION, AND FEELINGS OF HOPELESSNESS ARE GIVING WAY TO A NATIONAL CONFIDENCE IN OUR ABILITY TO ULTIMATELY PREVENT DRUG ABUSE AND TO STOP THE DRUG TRAFFIC. YET, THIS IS A TIME OF TREMENDOUS CHALLENGE. ILLICIT DRUGS REMAIN READILY AVAILABLE AND DRUG ABUSE REMAINS WIDESPREAD DESPITE INTENSIVE ANTI-DRUG EFFORTS OVER THE PAST SEVERAL YEARS.

NONETHELESS, WE ARE MAKING PROGRESS AND WE HAVE REASON TO BE OPTIMISTIC ABOUT THE FUTURE.

OUR CONFIDENCE COMES PRIMARILY FROM THREE SOURCES. FIRST, WE SEE A SIGNIFICANT CHANGE IN ATTITUDE ACROSS THE NATION. INDIVIDUALS, COMMUNITIES AND CORPORATIONS ARE TAKING FIRM STANDS AGAINST DRUG ABUSE. THERE IS A BROAD CONSENSUS THAT DRUG ABUSE IS CLEARLY WRONG AND THAT INDIVIDUALS WHO TAKE DRUGS OR PROMOTE DRUG TAKING BY OTHERS WILL BE HELD RESPONSIBLE FOR THEIR ACTIONS.

SECOND, WE HAVE LEARNED A GREAT DEAL FROM PAST EXPERIENCE. FOR 50 YEARS, FEDERAL POLICYMAKERS BELIEVED THAT THE MOST EFFECTIVE WAY TO FIGHT DRUG ABUSE AT HOME WAS TO ELIMINATE DRUG PRODUCTION IN FOREIGN SOURCE COUNTRIES. WE NOW RECOGNIZE WE MUST GIVE EQUAL AND SIMULTANEOUS ATTENTION TO DRUG LAW ENFORCEMENT AND DEMAND REDUCTION, BOTH AT HOME AND ABROAD.

THIRD, WE HAVE IMPLEMENTED A COMPREHENSIVE NATIONAL STRATEGY FOR THE PREVENTION OF DRUG ABUSE AND DRUG TRAFFICKING. WE ARE ATTACKING THE PROBLEM ON EVERY FRONT. THE FIVE-POINT PROGRAM INCLUDES:

- AGGRESSIVE DRUG LAW ENFORCEMENT AT HOME.

- INTERNATIONAL COOPERATION WITH OTHER NATIONS TO ELIMINATE THE AVAILABILITY OF ILLICIT DRUGS.

- MEDICAL DETOXIFICATION AND TREATMENT TO HELP DRUG USERS OVERCOME DRUG ABUSE.

- RESEARCH TO DEVELOP ACCURATE INFORMATION ABOUT ILLICIT DRUGS AND EFFECTIVE WAYS TO PREVENT AND TREAT DRUG ABUSE.

- AND, MOST NOTABLY, DRUG ABUSE PREVENTION HAS BEEN BROUGHT TO THE FOREFRONT AS THE LONG-RANGE SOLUTION TO THE DRUG PROBLEM.

SINCE THE STRATEGY WAS IMPLEMENTED IN 1982, WE HAVE BUILT AN ARSENAL OF POTENT WEAPONS TO USE AGAINST DRUG ABUSE AND DRUG TRAFFICKING, AND WE ARE USING THESE WEAPONS WITH INCREASING EFFECTIVENESS. THERE IS STILL MUCH TO BE DONE, BUT WE ARE MAKING PROGRESS. THIS WILL BECOME EVIDENT AS I DESCRIBE SEVERAL REPRESENTATIVE PROGRAMS WHICH ARE NOW UNDERWAY.

INTERNATIONAL COOPERATION

WITHIN THE INTERNATIONAL COMMUNITY, MORE NATIONS ARE INVOLVED IN THE ANTI-DRUG EFFORT THAN AT ANY TIME IN HISTORY. MANY OF THESE NATIONS ARE RECOGNIZING THAT DRUG ABUSE AND DRUG TRAFFICKING ARE NOT UNIQUELY A UNITED STATES PROBLEM OR A PROBLEM OF WESTERN CIVILIZATION. MAJOR DRUG SOURCE COUNTRIES, SUCH AS PAKISTAN AND COLOMBIA, HAVE EXPERIENCED RAPIDLY RISING DOMESTIC DRUG ABUSE, AS WELL AS THE OTHER EQUALLY SEVERE PROBLEMS RELATED TO THE ILLICIT DRUG TRAFFIC.

SEVERAL MAJOR EVENTS OF THE PAST 18 MONTHS -- INCLUDING THE DETECTION OF HUGE DRUG PRODUCTION CENTERS IN COLOMBIA AND MEXICO AND THE ASSASSINATION OF PUBLIC OFFICIALS INVOLVED IN ANTI-DRUG EFFORTS -- HAVE FOCUSED INTERNATIONAL ATTENTION ON THE FACT THAT THE DRUG TRAFFICKERS HAVE A BROAD SPHERE OF

INFLUENCE AND ARE NOT RELUCTANT TO USE VIOLENT TERRORIST-LIKE TACTICS. HOWEVER, ACTS OF VIOLENCE BY THE TRAFFICKERS TO RETALIATE AGAINST SUCCESSFUL ANTI-DRUG EFFORTS HAVE NOT HAD THEIR INTENDED EFFECT. INSTEAD OF INTIMIDATING THE GOVERNMENTS AND OFFICIALS INVOLVED, THESE ACTS HAVE STRENGTHENED OUR RESOLVE TO BREAK THE GRIP OF THESE CRIMINALS ON SOCIETY.

FOR EXAMPLE, THE INTENSITY OF THE ANTI-DRUG EFFORT IN COLOMBIA IS FORCING THE DRUG TRAFFICKERS TO MODIFY THEIR OPERATIONS, INCLUDING ESTABLISHING NEW SOURCES AND BASES OF OPERATION. WE ARE WORKING TO ENSURE THAT THERE ARE NO SAFEHAVENS FOR THE TRAFFICKERS. THE VARIOUS INVOLVED GOVERNMENTS ARE VIGILANT, AND WE ARE COMMUNICATING WITH EACH OTHER. INTERNATIONAL COOPERATION AND INFORMATION EXCHANGE ARE RESULTING IN EARLIER DETECTION OF DRUG TRAFFICKING ACTIVITIES AND GREATER NUMBERS OF BILATERAL AND MULTILATERAL ACTIONS DIRECTED AT THE VARIOUS STAGES OF DRUG PRODUCTION AND TRAFFICKING.

WE ARE MOVING FORWARD WITH OTHER APPROACHES TO DISRUPT THE DRUG TRAFFIC, MANY OF WHICH ARE LESS TRADITIONAL. IN ADDITION TO GOING AFTER THE TRAFFICKERS AND SEIZING THEIR DRUGS AND ASSETS, WE ARE GOING AFTER THE CHEMICALS WHICH ARE NEEDED TO CONVERT THE RAW PLANT MATERIAL INTO DRUGS. THIS WAS THE GENESIS OF OPERATION CHEMICAL CONTROL, KNOWN AS CHEMCON.

OPERATION CHEMCON IS SUCCESSFUL BECAUSE OF COOPERATION AMONG NATIONS AND SUPPORT FROM THE PRIVATE SECTOR -- IN THIS CASE, THE LEGITIMATE CHEMICAL INDUSTRY.

DOMESTIC ENFORCEMENT

COOPERATION IS NO LESS THE KEY INGREDIENT OF OUR DOMESTIC PROGRAMS. THE GOAL OF THE NATIONAL STRATEGY FOR THE PREVENTION OF DRUG ABUSE AND DRUG TRAFFICKING IS TO BRING THE FULL RANGE OF RESOURCES -- FROM ALL LEVELS OF GOVERNMENT -- TO BEAR AGAINST THE DRUG PROBLEM.

FOR EXAMPLE, WE HAVE SEEN HOW THE COOPERATIVE EFFORTS INHERENT IN THE

ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES HAVE DISRUPTED THE DRUG TRAFFIC AND PROVIDED A HIGHLY VISABLE SIGN THAT THE UNITED STATES IS COMMITTED TO STOPPING THE TRAFFICKING OF DRUGS IN OUR COUNTRY.

THE DRUG ENFORCEMENT ADMINISTRATION IS AT THE FOREFRONT OF THIS, AND OTHER NUMEROUS INITIATIVES. AS THE LEAD FEDERAL AGENCY, DEA IS RESPONSIBLE FOR PROVIDING CENTRAL LEADERSHIP AND FOR THE COORDINATION OF INTELLIGENCE AND INVESTIGATIVE ACTIVITIES RELATING TO THE SUPPRESSION OF ILLICIT DRUGS.

THE JOINT INVOLVEMENT OF THE FBI INTO DRUG INVESTIGATIONS, WITH APPROXIMATELY 1,000 FBI AGENTS DEDICATED TO THE TASK, HAS MADE A SIGNIFICANT IMPACT ON THE DRUG TRAFFICKING PROBLEM. IN ADDITION, THERE IS AN ONGOING EFFORT TOWARD A "LINK-UP" OF SEVERAL OTHER DEA AND FBI ACTIVITIES. FOR EXAMPLE, WE HAVE RECOGNIZED THAT IT IS MORE EFFICIENT TO HAVE DEA OPERATE TRAINING ACTIVITIES AT THE FBI'S TRAINING SITE IN QUANTICO, VA. THAN IN GLYNCO, GEORGIA AT THE FEDERAL LAW ENFORCEMENT TRAINING CENTER.

THERE ARE NUMEROUS FEDERAL, STATE, AND LOCAL COOPERATIVE VENTURES THAT ARE CURRENTLY ONGOING. NONE IS MORE ENTHUSIASTICALLY RECEIVED THAN THE DOMESTIC CANNABIS ERADICATION AND SUPPRESSION PROGRAM. THIS PROGRAM HAS BEEN GROWING OVER THE YEARS AND I AM PLEASED TO ANNOUNCE THAT ALL 50 STATES PARTICIPATED IN THE 1985 OPERATION.

IN AUGUST 1985, DEA LED OVER 2,000 FEDERAL, STATE, AND LOCAL OFFICIALS ON THE LARGEST MARIJUANA RAID IN THE HISTORY OF LAW ENFORCEMENT. THIS WAS A COORDINATED RAID, CONDUCTED SIMULTANEOUSLY IN ALL 50 STATES. SOME OF THE SITES WERE ON FEDERAL LAND, HOWEVER, MOST WERE NOT. ALL TOGETHER, OVER 400,000 CANNABIS PLANTS WERE ERADICATED.

MANY OF THE DRUG TRAFFICKING ORGANIZATIONS WITH WHICH WE MUST CONTEND SPAN REGIONAL AND INTERNATIONAL BOUNDARIES. IN THIS REGARD, COOPERATION BETWEEN LOCAL, STATE, FEDERAL AND FOREIGN OFFICIALS IS ESSENTIAL TO A CONCERTED ATTACK

ON THE TRAFFIC. WE HAVE SUCCESFULLY USED TASK FORCES TO ENSURE THIS COOPERATION.

AS ANOTHER EXAMPLE, WE NOW HAVE 34 FORMAL STATE AND LOCAL TASK FORCES. THE TASK FORCES HAVE PROVEN EFFECTIVE COMPLEMENTS TO FEDERAL DRUG ENFORCEMENT EFFORTS BY STRENGTHENING INVESTIGATIONS AIMED AT THE MID-LEVEL VIOLATORS -- THE LINK BETWEEN SUPPLIER AND CONSUMER.

WE ARE REAPING THE BENEFITS OF THE COMPREHENSIVE CRIME CONTROL ACT OF 1984. AS AN INCENTIVE, CONGRESS BUILT INTO THIS CRIME BILL A PROVISION TO PERMIT THE EQUITABLE SHARING OF SEIZED ASSETS IN THOSE CASES WHERE STATE AND LOCAL AGENCIES "DIRECTLY ASSIST" IN THE SEIZURE ACTION. LAST YEAR, DEA SEIZED NARCOTICS-RELATED ASSETS WITH A VALUE OF APPROXIMATELY $220 MILLION, WHICH WAS SHARED, IN PART, WITH LOCAL POLICE DEPARTMENTS WHO PARTICIPATED IN THE INVESTIGATIONS.

EDUCATION AND PREVENTION

I WOULD LIKE TO SHIFT THE FOCUS AND ADDRESS AN AREA THAT ALL-TOO-OFTEN IS NEGLECTED BY LAW ENFORCEMENT -- THE AREA OF DRUG ABUSE EDUCATION AND PREVENTION, WHICH IS ANOTHER KEY PART OF THE STRATEGY.

REGARDLESS OF THE NUMBERS OF DEA AND FBI AGENTS, THE NUMBER OF STATE AND LOCAL POLICE OFFICERS, OR WHETHER THAT LEVEL IS DOUBLED OR TRIPLED, THE LONG-TERM ANSWER TO THE DRUG ABUSE PROBLEM GOES BEYOND LAW ENFORCEMENT. THE LONG-TERM SOLUTION IS EDUCATION FOR OUR YOUTH, OUR PARENTS, OUR COMMUNITY LEADERS TO PREVENT DRUG ABUSE, TO PREVENT THE DEMAND FOR DRUGS IN THE FIRST PLACE. FOR EXAMPLE, WE ARE ENLISTING THE ASSISTANCE OF PUBLIC FIGURES SUCH AS PRO-ATHLETES, WHO ARE IMPORTANT ROLE MODELS, TO SPEAK OUT AGAINST DRUG ABUSE AND SPREAD THE WORD THAT DRUG ABUSE IS NOT GLAMOROUS. THAT DRUG ABUSE CAN BE OVERCOME.

AS I MENTIONED, THE ANSWER IS PREVENTION. WE SEE A GROUNDSWELL OF SUPPORT

ACROSS THE COUNTRY. IN JUST THE LAST FEW YEARS, THE NATIONAL FEDERATION OF PARENTS OF DRUG-FREE YOUTH HAS EMERGED AND IS IN TOUCH WITH OVER 8,000 GROUPS OF PARENTS AND ORGANIZATIONS AROUND THE COUNTRY DEDICATED TO STOPPING DRUG ABUSE. BUSINESSES AND CIVIC ORGANIZATIONS HAVE MANY EXCITING INITIATIVES UNDERWAY TO COMMUNICATE ACCURATE INFORMATION ABOUT DRUG ABUSE TO LARGE SEGMENTS OF THE POPULATION.

LAW ENFORCEMENT HAS A RESPONSIBILITY TO BE INVOLVED IN PREVENTION ACTIVITIES. AS AGENTS, WE SEE THE SEEDY SIDE OF DRUG ABUSE, WE SEE WHAT HAPPENS TO THE ABUSER AND TO THEIR OFFSPRING. WE SEE WHAT HAPPENS TO THE TRAFFICKER, HOW HE OR SHE MAKES A LIVING AT THE EXPENSE OF OTHERS, VICTIMIZING SOCIETY. WE SEE FIRST HAND WHAT IS HAPPENING AND IT IS FRIGHTENING.

IN THE SUMMER OF 1984, AT THE ANNUAL MEETING OF THE HIGH SCHOOL ATHLETIC COACHES ASSOCIATION, WE UNVEILED THE SPORTS DRUG AWARENESS PROGRAM --TEAM UP FOR PREVENTION. DEA AGENTS GAVE DRUG ABUSE SEMINARS TO HIGH SCHOOL COACHES AROUND THE COUNTRY, AND THIS EFFORT IS CONTINUING. OUR GOAL IS TO REACH ALL 48,000 HIGH SCHOOL COACHES. THEY CAN REACH 5.5 MILLION-STUDENT ATHLETES WHO, IN TURN, CAN BE ROLE MODELS FOR THEIR OWN PEER GROUPS. IF EACH ONE OF THESE ATHLETES REACHES ONE STUDENT -- THAT IS A SUBSTANTIAL IMPACT. HOPEFULLY, WE WILL ULTIMATELY REACH ALL 57 MILLION YOUNG PEOPLE IN KINDERGARTEN THROUGH GRADE 12. ALSO, DEA HAS JUST LAUNCHED THE SPORTS DRUG AWARNESS PROGRAM IN EUROPE.

ORGANIZATION SUPPORT

BEYOND THE NORMALLY EXPECTED DEDICATION OF OUR MEN AND WOMEN DIRECTLY INVOLVED IN CARRYING OUT OUR MISSION WE SHOULD NEVER FAIL TO ACKNOWLEDGE THE IMPORTANT ROLE WHICH THE DEA SUPPORT STAFF PLAYS IN DRUG LAW ENFORCEMENT. OUR SPECIAL AGENTS ARE EFFECTIVE IN OUR ENFORCEMENT EFFORTS BECAUSE OF THE ASSISTANCE THEY RECEIVE FROM THE PROFESSIONAL AND TECHNICAL STAFFS IN INTELLIGENCE, SCIENCE AND TECHNOLOGY, TRAINNING, ANALYTICAL TESTING LABORATORIES, LOGISTICAL SUPPORT, CONGRESSIONAL AND PUBLIC AFFAIRS, AND ADMINISTRATIVE SUPPORT.

GRAMM - RUDMAN - HOLLINGS (P.L. 99 -177)

BEFORE CLOSING, I WOULD LIKE TO SAY A WORD ABOUT THE GRAMM-RUDMAN-HOLLINGS SEQUESTER PROCESS FOR 1986.

AS A RESULT OF THE ACT, THE FISCAL YEAR 1986 DEA APPROPRIATION OF $380 MILLION WILL BE REDUCED BY 4.3 PERCENT, WHICH IS $16 MILLION.

DEA IS MAKING EVERY EFFORT TO LIMIT THE IMPACT ON HIGH PRIORITY, SENSITIVE AREAS. ONGOING DEA ENFORCEMENT OPERATIONS SHOULD NOT BE SIGNIFICANTLY AFFECTED, NOR SHOULD HIRING AND STAFFING PLANS HAVE TO BE ADJUSTED AT THIS TIME.

CLOSING

IN CONCLUSION, I WOULD LIKE TO EMPHASIZE THAT ALTHOUGH WE HAVE A LONG WAY TO GO BEFORE WE CAN SAY THAT WE HAVE WON THE WAR ON DRUGS, WE ARE MAKING PROGRESS. WE LOOK WITH PRIDE ON WHAT HAS BEEN ACCOMPLISHED, WITH RESOLUTION THAT MORE MUST BE DONE, AND WITH THE CONVICTION THAT OUR MISSION AND ITS SUCCESS ARE CRITICAL TO THE FUTURE OF OUR COUNTRY. WE HAVE EXPERIENCED MUCH SUCCESS, AND WE HAVE SHARED THE BURDEN OF THE TRAGEDY OF LOSS. BOTH HAVE STRENGTHENED OUR DETERMINATION AND OUR COMMITMENT.

IN THIS COUNTRY WE ARE NOW IN A MODE WHERE ALL OF US INVOLVED IN DRUG CONTROL -- PARENTS, YOUNG PEOPLE, EDUCATORS, LAW ENFORCEMENT, CELEBRITIES FROM ALL WALKS OF LIFE, CONGRESS -- ARE ALL TEAMING UP TO ATTACK THE DRUG PROBLEM ON ALL FRONTS. OUR NATIONAL WILL IS CHANGING. AND WITH THE SUPPORT WE AT DEA ARE GETTING, WE WILL BE SUCCESSFUL.

THIS CONCLUDES MY STATEMENT, MR. CHAIRMAN. I SHALL BE PLEASED TO ANSWER ANY QUESTIONS YOU OR OTHER MEMBERS OF THE SUBCOMMITTEE MAY HAVE.

RESPONSES OF JOHN C. LAWN
TO WRITTEN QUESTIONS SUBMITTED BY SENATOR LEAHY

Senator Leahy: Mr. Lawn, the Chairman touched on this but I would like to follow up with a few questions of my own. You testified that you have no evidence to confirm recent newspaper reports that the Nicaraguan contras, with the help of private U.S. citizens, may have been financing their war against the Sandinista government by smuggling cocaine into the U.S. This conflicts with a statement in an April 11, 1986 Washington Post article that Assistant Secretary of State Elliot Abrams recently told Congress that the contra government known as Democratic Revolutionary Alliance (ARDE) has been involved in drug smuggling. Have any of the following contra groups been involved in drug smuggling:

- The Democratic Revolutionary Alliance (ARDE)?
- The Nicaraguan Democratic Force (FDN)?
- The United Nicaraguan Opposition (UNO)?

Mr. Lawn: The Drug Enforcement Administration (DEA) has reviewed the statement made by Assistant Secretary of State Elliot Abrams. DEA has no evidence to substantiate allegations that any Contra group including the United Nicaraguan Opposition, the Nicaraguan Democratic Forces or the Democratic Revolutionary Alliance are as a matter of policy involved in drug trafficking to finance their fight against the Sandinista government.

DEA has, however, received reports that some individuals who are believed to be associated with the ARDE were or could have been involved in drug trafficking. Contra groups, however, rely heavily on contributions for support. They are therefore vulnerable to charges of drug trafficking should they unwittingly receive drug proceeds from sympathizers. Even if they did receive proceeds, it probably would reflect a personal decision by the trafficker, not a systematic organizational effort.

There also are allegations that individual U.S. citizens in Central America, claiming to aid the Contras, have been involved in drug trafficking. DEA cannot substantiate these allegations.

Senator Leahy: What evidence do you have that the Alabama paramilitary group Civilian Military Assistance (CMA), or any other U.S. group or individuals, have been involved in drug smuggling on behalf of the contras?

Mr. Lawn: DEA has no information that the Civilian Military Assistance group or its members have been involved in drug trafficking.

Senator Leahy: You mentioned that you have evidence that in at least one incident, an official in the Sandinista government -- Interior Minister Thomas Borge -- was involved in drug smuggling.

Is your evidence of drug smuggling by the Sandinistas limited to this one incident, or is there a pattern of this activity? If more than one incident, how many and who was involved?

Mr. Lawn: There is only one case in which DEA has evidence that an alleged member of the Nicaraguan government participated in drug trafficking. Frederico VAUGHAN, reportedly an aide to Interior Minister Thomas Borge, was indicted and remains a fugitive.

Senator Leahy: In your statement you say that "illicit drugs remain readily available and drug abuse remains widespread despite intensive anti-drug efforts over the past several years." Assuming you are able to maintain your present level of arrests and convictions, do you think the influx of cocaine and other illegal drugs will go down in the future, and if so why?

Mr. Lawn: The availability and abuse of cocaine and other drugs remain at levels which are unacceptable. DEA's enforcement efforts as well as those of other enforcement agencies, while producing record arrests and seizures in many categories, have as yet not reduced the availability of cocaine and other drugs. Domestic drug law enforcement, by itself, may never achieve that goal. Such a reduction can only occur when our strong domestic enforcement efforts are accompanied by effective eradication programs in source countries and a downturn in the demand in this country for these illegal products.

Senator Leahy: What do you estimate the percent change will be over the next twelve months? The next five years?

Mr. Lawn: I can not make such predictions with so many factors outside of my control. I can predict with certainty, however, that DEA's efforts will continue unabated in an effort to achieve a favorable change.

Senator Leahy: Do you think the external economic, social and political factors -- in Latin American and S.E. Asia -- which have contributed to the drug trade, are changing in ways which will lead to changes in international drug manufacturing and trafficking? What are these factors, and what changes, if any, do you predict?

Mr. Lawn: Your question recognizes the complexity of factors which are interrelated when discussing the worldwide drug situation. I believe there are changes taking place which will affect international drug manufacturing and trafficking. Governments everywhere but especially in Latin America and S.E. Asia have come to recognize that drug abuse is just not a problem only for the United States. They are witnessing greatly increased levels of abuse and addiction within their own countries. They are recognizing the threat drug abuse portends to their people and the corruption it spreads through their institutions. Wealthy trafficking organizations become governments unto themselves and challenge constitutional government's control.

The recognition of the problem and the concern now exists. Certainly cooperation among governments has increased. What remains to be seen is the depth of the commitment and the dedication of resources for an extended period.

Senator Leahy: How much of your 1987 budget request of $411 million will be used for drug abuse prevention, which you identify as the long-range solution to the drug problem?

Mr. Lawn: $270,000.

Senator Leahy: How specifically will these funds be used?

Mr. Lawn: The bulk of the funds will be spent on the Sports Drug Awareness Program and the expansion of that program to other segments of the school and community, to include the non-athletic area. We will target the 57 million students from kindergarten through college, mobilizing the resources of local law enforcement, parent and educator groups, and other national organizations in the demand reduction effort. Funds will go specifically toward: developing and producing appropriate publications, brochures and video-tapes; travel to provide technical assistance; conducting training programs and seminars; and providing prevention exhibits at major conventions of national and state organizations in order to promote interest and activity in drug abuse prevention.

Senator Leahy: You testified that intercepting small aircraft transporting drugs across our southern border is not a major part of your effort to combat drug trafficking. Why is this, and how well equipped are DEA and the Customs Service to handle this air traffic -- how many aircraft are patrolling the border at any one time?

Mr. Lawn: The Federal strategy to combat illicit drug trafficking in the United States combines the efforts of many agencies in several Departments in the Executive Branch. DEA, the lead agency regarding drug law enforcement, is primarily an investigative agency. With offices located throughout the U.S. and in drug source and transit countries, DEA's efforts are focused on identifying and immobilizing the major illicit drug trafficking organizations. In this effort we cooperate extensively with other Federal, State and local and foreign law enforcement agencies.

It is the primary role of the U.S. Customs Service and the U.S. Coast Guard to patrol our borders in an effort to interdict drug shipments. The U.S. Customs Service operates an air interdiction program focused primarily on our Southeastern and Southwestern borders. DEA regularly provides information to the U.S. Custom Service relating to that agency's interdiction efforts.

I do not know how many Customs aircraft are patrolling the border at any one time.

Senator Leahy: What role does EPIC -- the El Paso Information Center -- play in monitoring the movement of aircraft?

Mr. Lawn: EPIC's primary role in monitoring the movement of private aircraft is accomplished under a program code named Operations TIGRE. Operation TIGRE is an on-going Special Operation being conducted at the El Paso Intelligence Center in which we are monitoring the movement of suspect general aviation (private) aircraft throughout Central America, South America and the Caribbean.

This operation is being conducted in cooperation with participating foreign governments in an attempt to intercept shipments of drugs being transported via private aircraft to the U.S. Intelligence data regarding aircraft movements are relayed to EPIC from both domestic sources and foreign sources. As this raw intelligence is received at EPIC it is processed through all intelligence systems available at EPIC from the various member agencies. Positive data is then collated from all intelligence systems into a viable tactical intelligence product which will provide the field elements with a concise overall picture of the drug organization, suspects, and suspect aircraft that are operating in their areas of jurisdiction.

The paramount factor and key to success of Operation TIGRE is that we have a system of receiving this raw intelligence in a timely fashion. We, in fact, are receiving intelligence regarding drug movements as they are taking place and we are able, on many occasions, to take enforcement action at the most opportune time, when the violators are most vulnerable.

Senator Leahy: I understand that EPIC is an inter-agency project with DEA as the lead agency. What other agencies are involved?

Mr. Lawn: U.S. Customs Service
U.S. Coast Guard
U.S. Immigration & Naturalization Service
U.S. Marshals Service
Federal Bureau of Investigation
Bureau of Alcohol, Tobacco & Firearms
Internal Revenue Service
Federal Aviation Administration

Senator Leahy: Are local law enforcement agencies on line or hooked into the EPIC computers?

Mr. Lawn: The state police agencies with primary responsibility for narcotics investigations in each of the 50 states plus Puerto Rico, and the U.S. Virgin Islands have bilateral intelligence exchange agreements with EPIC. These agreements generally allow a limited number of previously identified officers to make EPIC inquiries on behalf of their agencies. The states are, in turn, encouraged to share intelligence on federal level investigations with EPIC.

Senator Leahy: The FBI has requested $12 million of additional funds to develop new artifical intelligence software. A major portion of that money is earmarked for upgrading the computer and communications capabilities at EPIC. What would be the effect on the EPIC program if Congress failed to authorize or appropriate that money?

Mr. Lawn: As the amount of intelligence data provided to EPIC grows it becomes increasingly necessary to assist limited personnel resources through use of advanced computer capabilities. This is particularly important in screening vast amounts of ostensibily "innocent" or "non-suspect" data to identify potentially suspect individuals, aircraft, vessels or automobiles. EPIC expects the FBI AI program to assist materially in sifting these masses of data in a way not possible by limited assigned personnel. Without this automated assistance, certain worthwhile targets of investigation may slip by unnoticed.

Senator Leahy: The Chairman also touched on this question, but I'd like to follow up. I gather there has been very little progress over the past year in bringing to justice the Mexican drug smugglers and Mexican officials who were responsible for the murder of DEA agent Enrique Camarena. Is it fair to say that Mexican investigators have been uncooperative with your efforts to solve this case?

Mr. Lawn: Yes. We have made repeated requests of the Mexican government for their assistance in DEA's own investigation of this matter and the cooperation we have received has been less than satisfactory. Requests for physical evidence, availability of witnesses, related reports etc. have, for the most part, been ignored. The Mexican Government does not look upon the U.S. Government's investigation as being

serious since the crime occured in Mexican jurisdiction not in the U.S. Hence they view their investigation as being the only pertinent investigation and ours as being an annoyance.

Senator Leahy: Is it true that the prime suspect in the case is known but still at large? If so, why isn't he in custody?

Mr. Lawn: We have been told over and over again since April 1985, by Mexican officials that the Mexican Government was within days of arresting Miguel Felix-Gallardo, as well as, several other prime suspects and yet they remain free. It is true that certain other suspects have been arrested in recent weeks but we feel these actions were due to the direct pressure we have exerted upon the Mexican Government. Why other significant suspects are not in custody is speculative.

Senator Leahy: When do you think we can expect criminal charges to be filed against any of those who were responsible?

Mr. Lawn: We have asked Mexican officials this question several times. We are repeatedly told that their judicial proceedings are moving along at their usual pace. The government of Mexico has said that the complexity of the charges, numbers of subjects, variety of jurisdictions, etc. cause the case to take longer than normal. When an end will be reached is impossible to conclude.

Senator Leahy: Is there anything that Congress can do to aid in bringing these murders to justice?

Mr. Lawn: The Congress should join with the Departments of Justice and State and the President in the position that anything less than a most vigorous investigation and prosecution by the Government of Mexico is unacceptable. That Mexico's full cooperation with the investigation being conducted by the U.S. would be evidence of Mexico's commitment to seek justice in this matter. While the crimes may have occured in Mexico, it was an official of the U.S. Government who was kidnapped, tortured and murdered. The U.S. Government has a legitimate and serious interest in investigating this matter and the cooperation of Mexico in assisting this investigation is necessary.

Senator DENTON. Thank you, Mr. Lawn.

On the marijuana decrease, is not cocaine and free-base use going up?

Mr. LAWN. Yes, sir. Cocaine use is increasing. There was a 12-percent increase in cocaine use in this country last year and a substantial increase in admissions to emergency rooms throughout the country because of cocaine abuse.

Senator DENTON. The lead paragraph of the April 10 issue of the Washington Post makes a report which is relevant to the vote going on over in the House today. This quote reads: "A Federal investigation is underway into allegations that Nicaraguan Contras and their American backers have engaged in gunrunning and drug trafficking," according to U.S. officials and sources close to the probe.

The article goes on to say, "U.S. Attorney Leon Kilner, Southern District Court, is directing investigation on possible illegal arms shipments under the Neutrality Act and allegations of cocaine smuggling to help finance the war."

Frankly, I am somewhat familiar with what is involved in the illegal arms shipments. But the allegations of cocaine smuggling to help finance the war, I would want you to address specifically. A man named Jack Terrell, also known as Colonel Flako, is one of the sources quoted in the Post. Do you have any evidence to support the allegation regarding cocaine smuggling to help finance the war by the Contras?

Mr. LAWN. No, sir. We have no such information. I, too, read that particular article, quoting sources that there was an ongoing investigation by the FBI. The information that we have was information developed as a result of a major investigation in June 1984, involving the individuals in the Sandinista government.

Senator DENTON. We knew about those.

Mr. LAWN. Yes, sir.

Senator DENTON. The part about the cocaine smuggling is your ball park, and I would like to make that clear today if I can.

Would you brief the subcommittee on the status of the Carmarena murder investigation and, if you can, also tell us of the level of complicity by police officials and others in the Mexican Government?

Mr. LAWN. Yes, sir. After the abduction and murder of special agent Carmarena, we initiated a task force to look specifically into that investigation. We recruited a support team from the Federal Bureau of Investigation to review any of the evidence gathered. We have presented and continue to present information on that investigation to the grand jury here in Washington, DC, and that grand jury is currently sitting. Our investigation is currently ongoing and we believe we are making progress.

Senator DENTON. I have no choice but to respond to the live quorum call, which I was warned was due around 11 o'clock, and that will be followed by a cloture vote on the Hobbs Act amendment at about 11:10. So I will have to turn this over, rather than defer or postpone the meeting, to Mr. Lisker, and when I return, I can resume the hearing.

Before I go, do you have any evidence that the Mexican Government is skimming any portion of the $140 million drug eradication

money being provided by the taxpayers of the United States to that country?

Mr. LAWN. No, sir, we do not. In point of fact, the money that is provided to the Mexican Government is not provided in moneys at all but, rather, in supplies, in equipment. And the Office of International Narcotics Matters has recently done an audit of their equipment expenditures for Mexico, and it is my understanding that the audit indicated that the moneys used to purchase supplies were well spent on the permanent eradication program.

Senator DENTON. You mentioned the public awareness having increased and attitudes having improved. I think we would be remiss not to mention that our First Lady, Nancy Reagan, is involved in that. Has she been working with your agency—your administration? Is that something that you can make a few remarks about?

Mr. LAWN. Yes, sir. I think I would rather say that we are working for the First Lady in that program, Mr. Chairman.

Our First Lady has called international attention to the necessity for drug education and drug prevention. She has initiated two international conferences involving First Ladies from around the world. As a result of those conferences, she has increased the awareness of the necessity for drug education and drug prevention in some of the major source countries of the world.

I recently visited Pakistan. They talked about some of the initiatives that were begun because of Mrs. Reagan's program and the fact that Mrs. Zie participated in that program. The same is true with Colombia and, to a lesser degree, in some of the cocaine source countries in South America.

Senator DENTON. Thank you very much, Mr. Lawn. I will have to depart and, hopefully, come back.

Mr. LAWN. Thank you, Mr. Chairman.

[Senator Denton leaves the hearing room.]

Mr. LISKER. Continuing with Senator Denton's questions, Mr. Lawn: How would you assess the reduction in the amount of illicit drugs entering the United States from abroad?

Mr. LAWN. We addressed initially the question of cocaine, which continues to be one of primary concern to us, because just in recent weeks we have seized tremendous quantities of cocaine coming from South America. As far as our efforts in other areas, last year, we had a 40-percent increase in marijuana seizures; a 30-percent increase in heroin seizures.

We see that the joint efforts of the parties involved in drug law enforcement in the country are effective. What we also see is that 5 years ago there were only two countries involved in eradication efforts, two source countries. Now there are 14 countries involved in major eradication efforts. So it ceases to be a problem that had been enunciated several years as a problem involving the United States as a user country and not involving the source countries.

Now it is an international problem which every country in the world is facing and, to a certain degree, every country in the world is addressing.

Mr. LISKER. The situation in Afghanistan, how has that affected Pakistan's commitment to suppressing the traffic coming out of there?

Mr. LAWN. As I mentioned, I had been in Pakistan several weeks ago and talked to President Zia. President Zia indicated to us that the night before he spoke to President Reagan telephonically, and the first question asked by our President was: "How effective is your drug enforcement program?" He said that that certainly evoked his attention in that the President of the United States first question had to do with drug prevention. And Pakistan is looking at 3 million Afghan refugees. We have visited the refugee camps and we have seen the problems associated with the refugees. But, that point notwithstanding, the Government of Pakistan is committed to doing what they can in the eradication program. We had suggested certain initiatives in changing some of their laws. Based upon the effectiveness that we have seen with the comprehensive crime bill of 1984, President Zia expressed an interest in those changes in legislation in Pakistan.

In a recent cable, I have been told that he has asked further questions from us in enacting such legislation. I think that the position of the Government of Pakistan is a very strong position in the enforcement area involving drugs.

Mr. LISKER. In connection with the drugs where you see a waning in their importation, how would you regard quaaludes at this time?

Mr. LAWN. Quaaludes continue to be a problem. Certainly, anytime we abuse any drug, we have a problem, but we see a reduction in quaalude abuse in this country.

Mr. LISKER. In terms of importation, has there been a reduction of the pills?

Mr. LAWN. Yes. We have seen a reduction. There are several problem areas involving the analogs of controlled substances, but, as far as quaaludes and other stimulants, we are seeing successes.

Mr. LISKER. How would you estimate the amount of confiscation of marijuana by all Federal agencies and percentages of the marijuana, how much of it would you say is confiscated or destroyed?

Mr. LAWN. We certainly confiscate all we know about. But last year, based upon the information contained in our national intelligence estimate or report, we believe that the consumption in the United States is somewhere between 7,000 and 10,000 metric tons. During that same time frame, we seized about 5,000 metric tons, we, the United States. I do not know, nor do we have available, the figures of marijuana seized by other countries which may have been destined for the United States. Our figures show that we seized 5,000 metric tons.

Mr. LISKER. That is imported and domestically produced combined?

Mr. LAWN. No, that is marijuana coming into the United States, that was seized in the interdiction process.

Mr. LISKER. What about in the domestic production?

Mr. LAWN. In our domestic program, in 1981, there were seven States involved in the eradication program. In 1985, there were 50 States involved.

Last year, we eradicated 39 million plants in the United States. So the eradication program in the United States again is a very effective program.

Mr. LISKER. How much of that was done on public land, government national parks, and that sort of thing?

Mr. LAWN. A portion of the cultivation was on Federal land, on public land, and, in point of fact, it was on Federal land that we used aerial eradication methods in two States last year. As far as the percentage, I do not recall the exact percentage of domestic growth of marijuana and how much of it comes from Federal land, but I do not believe it is more than 10 or 20 percent.

Mr. LISKER. In your aerial eradication process, are you using paraquat or something roughly equivalent to it?

Mr. LAWN. No, the chemical that we used last year was a chemical called glyphosate. In reviewing our environmental impact statement, and in reviewing all of the data available to us prior to signing the record of decision, which I signed on September 6, 1985, we looked at all of the chemicals which could be used, including paraquat, and decided that the safest chemical that could be used for our purpose was glyphosate. We used no paraquat.

Mr. LISKER. What is the status of the current evidence of illicit drug trafficking linked to organized terrorist groups, or foreign-based terrorist groups?

Mr. LAWN. We have seen, for example, in Colombia, revolutionary armed forces of Columbia—the FARC—operating on 25 or more fronts in Colombia, involved in protection or extortion of the growers. We have seen the M 19 group in Colombia, using either support for cocaine trafficking or coca cultivation itself in order to use the finances coming from this cultivation for their own purposes.

In Burma, the United Army has traditionally used cocaine trafficking in order to support their revolution. The Burmese Communist Party has done the same thing. But we have no information and no evidence of any terrorist groups in the United States using trafficking to support any of their ideologies.

Mr. LISKER. How about in terms of South America, Peru, Bolivia, and Central America?

Mr. LAWN. In Peru, there is limited information on the Shining Path, utilizing, or at least supporting, the growth of coca.

In Bolivia, we have no information of any terrorist groups utilizing the trafficking in cocaine or the cultivation of coca to cause unrest.

As I mentioned, certainly in Colombia, there is clear evidence, and it was, in fact, the M 19, you may recall, that took over the Supreme Court. And the M 19 is of great concern to the Government of Colombia.

Mr. LISKER. There was talk when Senator Denton chaired some hearings with the Foreign Relations Committee, Mr. Westrate, I think, testified. And there was some talk that the M 19 was sort of backing out, at least at that time, of its involvement in the drug trafficking, not consistent with the revolutionary ideology. Has that continued?

Mr. LAWN. Yes. In addition to losing the leadership of the organization because of the hostilities in Colombia, their involvement in trafficking is diminishing.

Mr. LISKER. How about in the Eastern Bloc States involvement, for example, at one point, you remember the involvement of a

State trading company, KENTEX of the Bulgarian Government. How does that stand now?

Mr. LAWN. The Government of Bulgaria has taken some initiatives. They are in the process of organizing an agency for drug law enforcement, paralleling the structure of the Drug Enforcement Administration. We see a very positive step forward being made by the Government of Bulgaria in that regard.

Mr. LISKER. How about with regard to Cuba and Nicaragua?

Mr. LAWN. In Cuba, in 1982, we saw the involvement of Jaime Guillot-Lara, about whom we have testified previously. And in Nicaragua, in 1984, as we mentioned, we had an operation which operatives of the Drug Enforcement Administration were allowed to fly into a military airport in Managua, Nicaragua, to fly cocaine from Managua to Florida and then, in turn, to fly back to the traffickers in Managua with considerable sums of money, all under protection of the military in protecting the Managua Airport.

As a result of that investigation, 12 people were indicted in the southern district of Florida, including an individual who worked for the Minister of the Interior in Nicaragua. That is the last investigation that we have involving government entities in the Government of Nicaragua.

Mr. LISKER. Mr. Seal was your informant in that case, was he not?

Mr. LAWN. Mr. Seal was providing information.

Mr. LISKER. Somebody has liquidated him?

Mr. LAWN. Yes. There is a sitting grand jury looking into that.

Mr. LISKER. Do you have any information as to who might have murdered him?

Mr. LAWN. The investigation has resulted in the arrest of several individuals who had papers indicating they were Colombians.

Mr. LISKER. Do you think it was more of an organized crime murder—or, at least, using organized crime instrumentalities—than a political murder?

Mr. LAWN. Based upon what I have read of the investigation, it is my belief that involved retaliation by the major trafficking cartels for the involvement of Barry Seal in cooperating with the U.S. Government.

Mr. LISKER. There has been some controversy surrounding the testing by various agencies and entities of their employees and agents. I presume, it is your decision to require testing of your agents? Does it require testing only of your agents, or of all DEA employees?

Mr. LAWN. The Drug Deterrence Program which we have introduced is one that ultimately will involve all of our personnel. In point of fact, the first phase of that Drug Deterrence Program will involve our applicants for special agent positions, and it will not be until we go through the evolutionary process that all personnel will be involved in a drug screening program.

Mr. LISKER. What has been the reaction?

Mr. LAWN. The reaction has been most positive. We are the lead drug law enforcement agency in the United States and, perhaps proudly say, in the world. In order to show that it is important for us to step forward and not ask other people to do what we feel is critically important, and that is testing of, certainly, law enforce-

ment personnel. We have an obligation to our society who gives us the responsibility to bear arms. We have a responsibility to those people, to prove to them that we are drug free and that the decisions that are made by us in the use of weapons is one which is made using our own faculties.

Mr. LISKER. Have any employees been dismissed as a result of this testing?

Mr. LAWN. The testing program of applicants will begin, I believe, on May 19.

Mr. LISKER. Are you testing only new employees?

Mr. LAWN. The first phase of the program is new special agent employees.

Mr. LISKER. At what point will you get to test on board people.

Mr. LAWN. We have contracted with a firm that has a record of involvement in testing. I do not know the deadline set for the testing of all employees. But, as I say, the first stage of the program is the testing of our applicants to begin next month.

Mr. LISKER. The FBI is involved in assisting you or developing their own drug-related investigations, are they not?

Mr. LAWN. Drug-related investigations, yes. We are working concurrently with the Bureau on about 800 drug cases. The FBI has about 1,000 agents dedicated full time to drug law enforcement. And we have worked a number of title III's, authorized wiretaps together. We train at the same facilities. New agent training is at the same facility. We work very closely with the FBI.

Mr. LISKER. Will the FBI agents working with you also be tested?

Mr. LAWN. As far as the testing program is concerned, I am working very closely with Judge Webster and with the Assistant Director in the Federal Bureau of Investigation in initiating a drug program. We are also working with other agencies in the Federal Government, that we all have a testing program which is similar.

I do not believe that the FBI will be initiating their drug testing program as quickly as the program we are initiating.

Mr. LISKER. Why do you think that is?

Mr. LAWN. Because we began planning—we, the Drug Enforcement Administration, began the planning for our drug screening program, our drug deterrence program, about a year ago. And it was based upon this planning that we are at our current stage of initiating the program.

In January of this year, Judge Webster decided that the FBI would have a parallel program, so the representatives of the FBI are now sitting on our drug deterrence board and are formulating their policy. But the policy of the Bureau with 9,000 employees is a little more detailed than it would be for DEA.

Mr. LISKER. But only a thousand of these employees are involved in drug-type investigations. And, since that seems to be the focus of your testing, I do not understand why. What are we talking about in testing? Are we talking about urinanalysis, primarily?

Mr. LAWN. Yes, we are talking in DEA primarily of urinanalysis.

Mr. LISKER. FBI agents receive an annual physical every year, do they not?

Mr. LAWN. That is right.

Mr. LISKER. At which time they provide a urine sample, do they not?

Mr. LAWN. Yes.

Mr. LISKER. It seems an easy thing to do to just have that one more screening process to that analysis of the urine that is provided at that time.

Mr. LAWN. I have learned through this deterrence program that there are any of a number of careful steps that must be taken. And, on its face, I agree, it is a very simple thing to say that law enforcement takes annual physicals, why not incorporate this as a part of the annual physical.

There are so many steps necessary in announcing considerably in advance the fact that you are having the program, why you are having the program. It is very important that the agencies involved recognize that this program is a positive one. It is not a program wherein we, the management of a given organization, are insinuating we have a problem but, rather, we are standing proudly forward in saying no, we do not have a problem, and we cannot tell other agencies or other individuals in the private sector why drug testing is important unless we go through all of these prior steps.

Mr. LISKER. Will the Department of Justice in their Narcotics Section in their Criminal Division be considering testing their employees as well?

Mr. LAWN. The Attorney General of the United States has told me that he is following our program very closely, and he is interested in initiating such a program.

Mr. LISKER. For the attorneys and the staff people in the Department of Justice?

Mr. LAWN. Yes, sir.

Mr. LISKER. How would you evaluate or assess the level of cooperation that now exists between those agencies which share-your involvement in investigations of these cases?

Mr. LAWN. I think the level of cooperation is excellent. With the passage of the comprehensive crime bill in 1984, and the fact that we have a National Drug Enforcement Policy Board, if there are any differences, we now have a forum to which to bring agency problems. And I think because of the National Drug Enforcement Policy Board that the relationships between agencies and among all agencies is excellent.

Mr. LISKER. What, in your view, could be done to reduce the amount of illegal drugs entering the country, and, once they are here, to reduce the street sales to users? Is it just a question of manpower and money, or are there educational and psychological factors?

Mr. LAWN. Certainly many things can be done. The national strategy that was published in 1982 talks about a five-part strategy.

The most critical part is enforcement. We must continue to take the profit out of drug trafficking. We must continue to arrest major traffickers. But, with that, we must also have a very strong program of education. We must begin at a very tender age to give our youngsters the wherewithal to say no to drugs. We must have prevention programs. International cooperation is critical. And these are all parts of the Federal strategy which was begun in 1982, and which we believe is a strategy that will be effective.

Mr. LISKER. Have you been able to make any inroads in the entertainment area to try to convince people that put on such shows

as "Miami Vice" that it is not particularly constructive to glorify the involvement in drug activity?

Mr. LAWN. We, the administration, have talked to individuals involved in productions in Hollywood to see if the message about drug prevention can be a national message. Mrs. Reagan has appeared on television, on some very popular shows, in order to get that message across. We have solicited the cooperation of the National Association of Broadcasters. We have prepared Public Service broadcasts. We have utilized the private sector. We have utilized members of the entertainment industry, as well as the sporting industry. We are working very closely with Mr. Dave Winfield, the All Star outfielder of the New York Yankees, who has done several of these Public Service announcements to the fact that drug prevention and drug education are critical.

Mr. LISKER. Would you propose extending the testing to the public school system, to students of the public school system? Do you think that that is a reasonable thing to ask; or would it be too intrusive, in your view?

Mr. LAWN. Our program is a critical program, our drug screening program, because it involves law enforcement agencies. I certainly support any drug testing program where the public safety is in issue. Certainly in the airline industry, in the rapid transit industries, I do think there is a balance to be weighed very carefully between what is required of us as public servants and what we should require in order to minimize the abuses of drugs.

I would have some problem with having screening programs, general screening programs for the public. I think the spirit of the Constitution, the spirit upon which this country is based is one that would preclude our demanding drug testing throughout our society.

Mr. LISKER. With respect to analysis provided as a service by the DEA laboratory, the subcommittee has been told that very often the DEA lab was slow to return the completed chemical analyses to the various State, county, and local police agencies that submit them.

First of all, is that true or not?

Mr. LAWN. No. The statement is not accurate in that our support functions of our laboratory has been, in general, an excellent support. There is one area of the country where we are having problems, and that is right here in Washington, DC.

Our Washington, DC, laboratory supports the Metropolitan Police Department. About 90 percent of the tests done by our laboratory are in direct support of the Metropolitan Police Department. We have a total of 23 chemists who are allocated to work with State and local drug testing facilities. Of the 23, 18 are working full time here in Washington, DC, just to support the Metropolitan Police Department. That is an inordinate number based upon our limited resources. We have worked with the Metropolitan Police Department and U.S. attorney diGenova in order to do something to relieve that burden. We had a meeting with the Metropolitan Police Department in February and with the Department of Justice to see what else we can do to minimize the problem. But this is the only area of the country in which that problem exists.

Mr. LISKER. Does the Metropolitan Police Department reimburse you for the cost connected with these tests?

Mr. LAWN. No. These tests are all supported by the DEA budget.

Mr. LISKER. In looking at the FBI budget, we looked at that in closed session yesterday, and we will look at it toward the end of this month in open session. OMB has made some suggestions to the Bureau in terms of meeting its requirements under Gramm-Rudman. And I might add, I do not believe that this was the Bureau's idea. They did not volunteer this. This was imposed on them by OMB, which seems, frankly, rather shortsighted. I know Senator Denton, at least, feels that way. One of the areas that they have decided to cut back on is in the area of police training and facilitating police coming through the National Academy Program to Quantico, for paying overtime to police officers that are working on the joint task forces. These police officers all belong to the unions. The city police pay their salaries, but when 5:30 rolls around, if there is no overtime pay, they walk off the job even, presumbably, during the middle of an arrest. It is a ridiculous situation.

Do you see, in terms of next year's cuts, that any of this laboratory service that is being provided the police of the District of Columbia, and probably other departments, on a no-cost basis, and the testimony that very often accompanies that kind of presentation where your agents or examiners have to go into court and testify, would any of that important service be curtailed?

Mr. LAWN. As I mentioned previously, the one area of concern is Washington, DC. Unless we can work out an agreement with the Metropolitan Police Department, we do see continuing problems. Our inability to get the drug evidence tested in sufficient time for us to present it in court will continue to be a burden to us.

As far as the training of police officers, we are looking at an $88,000 cut. But that does not mean that we will not be traveling to various parts of the country to conduct training in-house, which is at no cost to State and local officers. And we do the same thing with a program in international training, which is at no cost.

Mr. LISKER. Would you then encourage the State and local authorities to develop their own laboratory facilities to make these tests?

Mr. LAWN. In most parts of the country, the police agencies have their own testing facilities. And we have encouraged the Metropolitan Police Department to have their own testing facility, or, if that is a difficult requirement because of funding constraints, we have suggested that perhaps they would like to take over our laboratory here in Washington, DC.

Mr. LISKER. In terms of recruitment, in light of what happened to Enrique Carmarena, are you having any difficulties, first of all, in recruiting agents, and those that you recruit, are you having any problems getting them to accept overseas assignments or foreign assignments?

Mr. LAWN. No. To answer the first part of the question, Americans, historically, rally around when times are very difficult. Drug law enforcement is the major priority in the country. We have long lists of individuals who are interested in careers in drug law enforcement. We have 500 young men and women who are in the final stages of the screening process for employment in the Drug Enforcement Administration.

Our recruiting has been a very positive phase of growth of the Drug Enforcement Administration. The backgrounds of the individuals who are coming on board, a great percentage—perhaps not a great percentage, but about 35 percent have prior law enforcement experience. We are recruiting from the ranks of attorneys, chemists, and accountants. Recruiting is excellent. As far as our staffing offices overseas, every overseas assignment is a voluntary assignment. And in those situations where we receive threats or intimidation, a great deal of my day is spent in telling individuals who are serving domestically that I will not send them to those areas because of the threats or intimidation we are receiving.

In general, we have long lists of individuals who want to work in overseas assignments. That, quite frankly, is where the action is.

Mr. LISKER. I am sure that is true.

In terms of your domestic training, you were previously using the facility at Glynco, GA. Now, as I understand it, you are increasingly using the FBI Academy at Quantico. Do you see a time when Glynco will be completely phased out as part of DEA's concern, or has that time come now?

Mr. LAWN. As far as the use of the Federal Law Enforcement Training Center at Glynco for new agent training, we are completely phased out of new agent training.

We have our international training facility at Glynco. We will be moving from Glynco, but the new site of our international training facility has yet to be determined. Whether that means that Glynco will be phased out, I would rather doubt, because we were only 1 of 56 agencies that were using the Federal Law Enforcement Training Center. Our loss did not impact severely upon that facility. And the personnel that we took from Glynco were rapidly replaced by personnel from other agencies who were trying to get additional training.

Mr. LISKER. Do you believe that the facility at Quantico will be large enough, is the physical plant large enough as it now exists to accommodate your training requirements?

Mr. LAWN. Yes. All of our classes since October 1 have been trained at Quantico. This fiscal year we will have trained a total of eight classes at Quantico. We think in probably fiscal years 1988 and 1989 there will be an expansion of quarters at Quantico and other training facilities at Quantico. But right now our housing requirements are adequately met.

Mr. LISKER. How would you describe the state of the relationship between the DEA and the FBI at this time?

Mr. LAWN. I think the relationship is an excellent one. The joint cases we are working are cases involving major traffickers. The training that we are giving one another is making us both better capable in addressing the major traffickers throughout the world. For example, to indicate how well we are working together, on Monday, there was a funeral service for an FBI agent who was killed in Miami. While the agent personnel of the FBI office in Miami was attending the funeral, law enforcement functions in the Miami FBI office were backfilled by DEA agents.

Mr. LISKER. There was a time when the Bureau, and I am sure that time has not pssed, when there was a distinction made between Bureau agents and Bureau clerks. There were sort of two

cultures, let us say, that existed on a more or less cohesive relationship. Is there a possibility, or do you see any possibility or likelihood that this could happen with respect to the FBI and the DEA? In other words, you have at the top this group, the FBI agent, special agents and then you have the DEA special agent and the FBI clerical employee and the DEA clerical employee. Do you see any sort of indication that these groups are trying to maintain their separateness while not necessarily because of any pride, but because of a caste system which sometimes exists?

Mr. LAWN. I certainly do not see the caste system. In point of fact, we have several dozen retired FBI personnel whose sons and daughters are now DEA agents. There is a narcotics section of the FBI in their Criminal Investigative Division which is supervised by a DEA supervisor. There are FBI supervisors sitting in supervisory positions at DEA Headquarters. So I do not see that to be an issue at all.

Mr. LISKER. We have had a letter from the general counsel of the Federal Law Enforcement Officers Association which purports to represent all of those associations covered, I guess, under the Civil Service Act. This particular general counsel has written expressing her concern that their agents, that is, DEA agents, will be removed from the protection afforded by the competitive service and placed in the excepted service. They feel there is some sort of breach of faith here because many of the agents came on board in the belief they would have these protections, and the way this letter was written, at least, it seems as though they see some sort of a property right, which we do not necessarily agree with out, nevertheless, that is a concern to them.

Can you tell the subcommittee what the status of the move to put DEA agents in excepted services is at this time?

Mr. LAWN. Yes, sir, there is a bill pending, Senate bill 2011. We think that the passage of that bill is critically important because currently we have personnel in DEA who are from several different systems. Our new agent personnel come aboard in the excepted service. Older personnel, many of them, are from the old Civil Service System.

We have several systems in DEA. When we exchange personnel with the FBI, we run into problems because all of us are not part of the same excepted service system.

I see many more benefits to be derived from the excepted service system than I do from the mixed systems which we are currently working under in DEA.

We have sent several explanatory communications to our field offices, telling them where we see the benefits with the excepted service. And in all of my personal meetings with our agent and support personnel, I receive general concurrence that we should continue to support the excepted service for DEA.

Mr. LISKER. When you say you see benefits, do you mean from an administrative control standpoint, or benefits to the individuals involved?

Mr. LAWN. I mean benefits to the individuals involved, and certainly benefits to the Agency. I am not involved in a philanthropic situation. I am looking for what is best for the Agency, and I see that we can fill support positions considerably quicker in the ex-

cepted service. I see that financial enhancements for our support personnel can be much better facilitated in the excepted service. And the only issues that have been raised are the issues of administrative actions. There is one level of appeal that may be lost by an individual in the excepted service.

Administrative actions perhaps affect fewer than 1 percent of the work force in any agency. And for that minority to be so vociferous in its concerns about losing their rights when what is to be gained is so considerably beneficial to 99 percent of the work force astounds me.

Mr. LISKER. So an FBI agent starts at GS-10, and after a period of time gets on a sliding scale back from 25 percent down to nothing, I guess, of a GS-9, I think it is, in overtime, on scheduled overtime. This would be voluntary overtime. There was nothing voluntary about it.

Will DEA then begin at the GS-10 level if they are, in fact, placed in an excepted service?

Mr. LAWN. The current level for a new agent is a GS-7. And we will look at enhancing the entry level, whether we are in the Civil Service or in the excepted service. That is not necessarily our consideration in this regard. I find it particularly difficult for us to transfer a new agent from a part of the country to a major office like New York or Chicago, with a higher cost of living, and offer that individual a grade 7 salary, when the individuals who are coming into the organization are veterans, some 34 years of age with families. But that is only one of the things we are considering in the excepted service package.

Mr. LISKER. So, if I understand you, you are considering or looking at the possibility of raising entry level for the DEA agents so that it is more compatible with the entry level of the FBI agent?

Mr. LAWN. Yes, sir. Whether or not we go into the excepted service, we are looking at that.

Mr. LISKER. OK. Have you seen a copy of the letter, by the way—I would assume you have—from the general counsel of the Federal Law Enforcement Officers Association? It was sent to Senator Denton.

Mr. LAWN. There is a copy available; I have not seen it.

Mr. LISKER. In terms of legislation, is there any legislation now pending in the Senate in which you have a particular interest and to which you would like to direct the subcommittee?

Mr. LAWN. Yes, sir. We mentioned Senate bill 2011 having to do with the excepted service. That certainly is one bill. There is another bill, H.R. 3614, which involves the use of Government vehicles. The intent of the bill, I believe, was to keep bureaucrats from using Government vehicles to travel to and from their residence. What, in fact, that may do to law enforcement is to prohibit law enforcement from using those vehicles in odd hours. This will have a tremendously negative impact on the ability of law enforcement to do its work.

In dealing with drug law enforcement, we have found that drug cartels do not work 9 to 5. And for us to take the vehicles away from our personnel which are normally used in investigations around the clock is as silly as it would be for me to collect the weapons at 5 o'clock in the afternoon since the workday is now

over. The vehicle is a necessary part of the agents' equipment as is a vest, a bulletproof vest. That will have a tremendously negative impact.

We have very stringent rules for the use of vehicles. We take severe administrative action against any of our employees who are found to use a vehicle solely for transportation. And, as I say, I do not think the intent of that bill was to minimize the effectiveness of law enforcement officers.

Another bill is this House bill 4151, the Omnibus Diplomatic Security and Anti-Terrorist Act. One particular provision of the bill, section 503, has to do with the paying for information in a foreign environment, information involving drug trafficking.

Certainly the intent of the bill is honorable. I think the bill was designed based upon the abduction of special agent Carmarena in Mexico. But when it comes to the purchase of information, the purchase of evidence, that is a function of the Drug Enforcement Administration. And anyone with a background in law enforcement knows how difficult it is to solicit information from informers and how important it is that this information be verified. It is critical that law enforcement personnel receive that information and evaluate it and pay individuals based on the veracity of information received.

I do not believe that individuals in the Department of State, for example, are in a position to make that evaluation. So we are working with the Department of State in changing the wording of that bill. So it does not have a negative impact on our ability to work overseas.

Mr. LISKER. Our staffs, Senator Leahy's staff and Senator Denton's staff, have worked with Dave Melocik and Dick Schultz of your staff on this particular problem. I think that has been communicated to the Foreign Relations Committee where the bill now sits, and I think they share your concerns on that committee.

Mr. LAWN. Thank you. That is very important for our overseas operations.

Mr. LISKER. With respect to automobiles, the FBI, of course, has made the same arguments in favor of the legislation that you have, and we agree with that. And I think again Senator Leahy's staff and our own staff have tried to iron this out with the two other members' staffs. There is a hold on that bill at the desk, on the minority side. And we are trying to work with that particular Senator's staff to refine the language in such a way that any concerns that he may have with regard to usage will be alleviated. We happen to share your belief that this is just part of law enforcement and is necessary. I think the problem is that the bill, as it is presently drawn, covers not only the FBI and the DEA but a number of other agencies whose needs may be less susceptible to verification than yours.

Mr. LAWN. Thank you. We appreciate your support.

Mr. LISKER. Well, that concludes Senator Denton's questions. I do not know whether Senator Leahy's representative might have some questions.

Mr. RIESER. Mr. Lawn, my name is Tim Rieser. I am on Senator Leahy's staff. The Senator had hoped to be here but is at another

hearing and won't be able to come, so I will ask a few questions for him.

On page 3 of your prepared testimony you mention a decrease of $88,000 for local law enforcement training. I am curious to know how that will impact on, say, a Vermont law enforcement officer. What will be the cost to the State of Vermont if that cut occurs? What would be the cost for a single Vermont law enforcement officer to participate in your training program?

Mr. LAWN. The cost for the individual is something that I am not aware of. I think the figure that will be the cost figure is being developed by the Federal Bureau of Investigation since the facility is at Quantico. It will have no impact on our going to States like Vermont to conduct our training in State. It will only impact upon personnel coming to a facility like Quantico for lodging and for sustenance.

Mr. RIESER. How long do these training programs usually last?

Mr. LAWN. Training programs can go from a week to the National Academy, which is several months.

Mr. RIESER. So is it fair to say we are talking about a considerable amount of money for lodging and meals for State law enforcement officers?

Mr. LAWN. Not for DEA personnel, I mean not for individuals who are trained by us, but it would be a considerable amount of money for a local law enforcement officer, for example, who may be going to the National Academy.

Mr. RIESER. You described the progress you are making and mentioned increases in arrests and convictions, but, at the same time, you said the amount of cocaine that is entering the country has gone up during the same period.

Mr. LAWN. Yes. If someone would look at the appropriation history, in 1974, DEA had a staffing level of 2,400 special agents. In 1984, with budget increases from 1981 through 1984, the end of 1984, we reached an agent staffing level of 2,400 agents, or the same number of agents we had had 10 years prior.

During that same time frame, law enforcement in the seventies lost substantial resources. Major police departments lost substantial resources. And it is not an accident that the drug situation in this country increased at the same time that the impact of law enforcement was minimized because of budget constraints. We are making great strides forward. We had a long way to come just to be where we were in 1974.

Mr. RIESER. How much cocaine is coming into this country today?

Mr. LAWN. The figures are difficult to give exactly what is coming in. I guess the estimates are from 50 to 70 metric tons.

Mr. RIESER. What is the value of cocaine on the street?

Mr. LAWN. We, as an agency, do not talk about street value. We do not talk about street value when we seize cocaine, because there may be an individual out there who might decide that this is a very lucrative endeavor. What we prefer to talk about is the increases in penalties for individuals involved in trafficking, or the fact that we have seized over $220 million last year in trafficker assets; that we will take cash, property, cars away from the traffickers. Cocaine is selling on the streets generally around the country from $25,000 to $30,000 a kilo.

Mr. RIESER. Is that up from the past year or two, or is it coming down?

Mr. LAWN. The cocaine street value is going down.

Mr. RIESER. That may indicate that more is coming in?

Mr. LAWN. That may indicate that more is coming in, yes. Again, it would depend upon the purity of the cocaine and there are other factors involved, but cocaine is readily available.

Mr. RIESER. Is most coming from Latin America?

Mr. LAWN. All the cocaine in the world comes from Latin America.

Mr. RIESER. How much comes by airplane across the border?

Mr. LAWN. Almost 70 percent of cocaine that enters the United States comes by either private aircraft or by commercial aircraft.

Mr. RIESER. How many of those aircraft cross the border every month?

Mr. LAWN. That is a very difficult question to answer. If I knew, we would certainly, the Drug Enforcement Policy Board would do something about it.

Mr. RIESER. What is your best estimate?

Mr. LAWN. We have initiated several enforcement actions in order to make that determination during time frames of 1 week or 10 days if we know that perhaps as many as 50 aircraft would leave a source country and the probable ultimate destination of United States. But we do not know, for example, how many actually violate the U.S. air space, whether they air drop in the island chains, or air drop to cigarette boats.

Mr. RIESER. How many of those are intercepted?

Mr. LAWN. We have some figures which indicate that about 33 percent of the seizures that are made in the border are made based upon advance information. But interception of the aircraft at the border is probably the least effective thing that law enforcement can do. It is much more cost effective for us to have personnel overseas in the source countries to give us the advance information. There are any number of things that are considerably more important than waiting at the border for an aircraft to cross.

Mr. RIESER. How many aircraft do you have with which to intercept these aircraft?

Mr. LAWN. The role of interdiction is not the role of the Drug Enforcement Administration. We do have in excess of 60 aircraft which we use for investigative purposes. We do work in certain parts of the countries in what we call interdiction and stopping the flow of marijuana and cocaine into the United States, but the primary agency with that responsibility is the U.S. Customs Service.

Mr. RIESER. According to my information, in 1984, about 135,000 tons of coca leaves were harvested by peasant farmers in Bolivia, Colombia, and Equador. Is that figure correct and do you have a figure for 1985?

Mr. LAWN. Certainly I do not have at hand the updated figure, but we know that cultivation of coca in Peru has increased in 1985 over 1984. But I am sorry I do not have that figure. We can make that figure available to you.

Mr. RIESER. Some of these countries are involved in crop replacement programs?

Mr. LAWN. Yes, that is right.

Mr. RIESER. Has that, do you think, significantly reduced cocaine production?

Mr. LAWN. In countries that I have visited, the crop substitution program has been effective. Certainly it is effective in Thailand. I have just returned from Thailand, and we see that crop substitution is having an effect. Ultimately, it will be effective. It is very difficult, for example, in a country like Peru that has been growing coca and using coca for several thousand years to convince the farmer that what he or she is doing is wrong when it means perhaps as much as $300 a year for that farmer in order to sustain his family. But the crop substitution program has been effective in other parts of the world.

Mr. RIESER. Has it been at all effective in Latin America?

Mr. LAWN. There was an effective program, or a program that we believe to be effective, in Peru, so effective that trafficking elements in Peru killed a number of the farmers who were working on that project. Trafficking organizations would not necessarily do that if programs like that were not having an effect on cultivation.

Mr. RIESER. Do you know how the amount of cocaine coming out of Peru has changed in the last few years? Has it also increased from there?

Mr. LAWN. Peru, historically, has not been the country from which cocaine comes into the United States. Traditionally, the leaf from Peru was shipped to another country where it is processed into cocaine hydrochloride in times past, predominantly Colombia. Now, because of the effective programs in Colombia, there are other countries more actively involved in the refining process. Peru itself is beginning to refine some of its own coca, paste and base, and beginning to initiate trafficking routes from Peru into the United States.

So, in that regard, there has been an increase in cocaine itself coming from a country like Peru to the United States. But that is not the predominant country from which cocaine consumed in the United States comes from.

Mr. RIESER. Thank you, Mr. Lawn. Senator Leahy has other questions which I will submit for the record.

Mr. LISKER. We will have no additional written questions, which I know Dave appreciates.

Thanks very much.

Mr. LAWN. Thank you.

[Whereupon, at 1 o'clock p.m., the subcommittee adjourned.]

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